

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-28604-2023 (O&M)

Date of decision: 09.11.2023

Swarnjeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kanish Sarup, Advocate
for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab.

Ms. Dolli Sharma, Advocate and
Mr. Sahil Gupta, Advocate for
Mr. S.S. Majithia, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0116 dated 22.09.2022 under Sections 324, 323, 341, 506, 148 and 149 of the IPC (Section 326 of the IPC added lateron) registered at Police Station Dirba, District Sangrur.

2. On 01.06.2023, learned counsel for the petitioner has made following submissions:-

“Learned counsel inter alia contends that a false case has been planted upon the petitioner which stands substantiated from the fact that the CCTV footage qua the occurrence in question reveals that the petitioner was not even present at the spot. Further contends that even the injury under Section 326 IPC has not been attributed to the petitioner but to co-accused.”

3. Thereafter, vide order dated 31.07.2023, the petitioner was granted interim bail and had been asked to join investigation.

4. Learned counsel for the petitioner submits that in compliance of order dated 31.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from HC Mohanjeet Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 31.07.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.11.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No